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April 21, 2005

**VIA FACSIMILE**  
**EXPEDITED PROCEDURE**

To: Examiner Steven P. Sax  
Group Art Unit No. 2174  
U. S. P. T. O.

Facsimile No. 703-872-9306

From: Phillip E. Miller

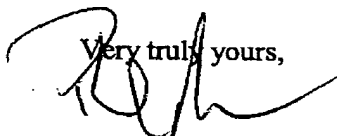
Facsimile No. 703-761-2375

Re: Filing of Second After-Final Amendment  
U. S. Patent Application Serial No. 09/257,208  
Our Ref: ALM.008

Dear Examiner:

Enclosed please find an Amendment which is filed prior to filing Appellant's Appeal Brief, and which should place this case in condition for allowance.

Thank you in advance for your kind consideration of this case.

Very truly yours,  
  
Phillip E. Miller

PEM/lmb  
Enclosure

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dryer et al.

Serial No.: 09/257,208

Group Art Unit: 2174

Filed: February 25, 1999

Examiner: Sax, S.

For: METHOD AND SYSTEM FOR REAL-TIME DETERMINATION OF A  
SUBJECTS INTEREST LEVEL TO MEDIA CONTENT

Honorable Assistant Commissioner of Patents  
Washington, D.C. 20231  
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**SECOND AMENDMENT UNDER 37 CFR §1.116**

Sir:

Applicant notes that this Amendment is filed prior to filing Appellant's Appeal Brief, and is substantially identical to the Amendment filed herein on January 24, 2005. Applicant respectfully submits that the claim amendments included herein clearly do not raise new issues and serve to clarify the issues on appeal. Therefore, this Amendment should be entered.

In response to the Office Action dated November 22, 2004, please amend the above-identified application as follows: